

Ravalli

County
MONTANA

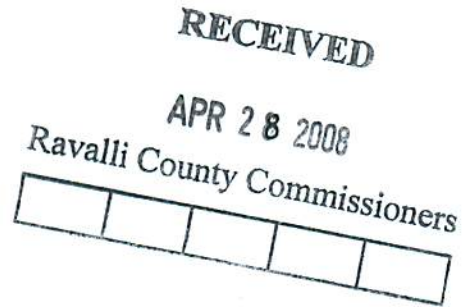
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April 25, 2008

Dustin M. Chouinard, Esq.
Markette & Chouinard
601 S. 1st St.
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Hamilton MT 59840



Re: Tom and Charlotte Robak Property

Dear Dustin:

I received a copy of your April 18, 2008, letter to Laura Hendrix. As she is out of the office this week and you have raised many legal questions I felt it proper to respond to you personally.

I believe you have misstated or misunderstood the previous correspondence in this matter. The Ravalli County Floodplain and Environmental Health Offices have seen significant quantities of fill placed on Mr. Robak's property, much of which appears to be in the actual floodway not just the floodplain. As you are likely aware, fill may never be placed nor may houses be constructed in the regulatory floodway. The surveys we have received show at least part of the Robak house to be in the floodway. Additionally, significant quantities of fill appear to be in both the floodway and floodplain.

As I hope I have conveyed above, these are very, very significant concerns. The placement of a home in the floodway is of significant concern to everyone. Not only is there the great probability of the Robak house becoming inundated with flood waters, but there is the possibility the home could wash down stream and destroy other property. Given all this, I must continue to insist that you comply with Ms. Hendrix's requests.

Sincerely,

Alex Beal

Deputy Ravalli County Attorney

AB/dp

cc: Laura Hendrix, Floodplain Administrator
Karen Hughes, Planning Director
Lea Jordan, Environmental Health
Ravalli County Commissioners

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